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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/161,294	09/28/1998	TETSUNOBU KOCHI	35.C12980	7439
5514	7590	09/29/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
			ART UNIT	PAPER NUMBER

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

1. Noted that the application No. 09/161,294 has been transferred to Examiner Luong T. Nguyen, Art Unit 2612.

2. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 10/18/2004. The submission, however, is not fully responsive to the prior Office action because of the following matters:

Regarding independent claim 3, the Applicant amended claim 3 in the Amendment filed on 3/11/2003 and in Preliminary Amendment filed on 10/18/2004 the limitations "a first horizontal output line which outputs sequentially the signals from said plurality of first vertical output lines; and a second horizontal output line which outputs sequentially the signals outputted from said plurality of second vertical output lines, wherein said first horizontal output line is arranged on a side of a first side of said photoelectric conversion area, said second horizontal output line is arranged on a side of a second side of said photoelectric conversion area, and said first side and said second side of said photoelectric conversion area are opposite to each other in the vertical direction; a plurality of first load elements, wherein at least one first load element is arranged to control a direction of current flowing through each of said plurality of first vertical output lines; and a plurality of second load elements, wherein at least one second load element is arranged to control a direction of current flowing through each of said plurality of second vertical output lines, wherein said plurality of first load elements and said plurality of second

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load elements are arranged on sides opposite to each other with respect to said photoelectric conversion area.” These limitations read on Figure 5, Specification, pages 13-19. The species of Figure 5 is a non-elected species. Therefore in dependent claim 3 does not read on Species of Figures 3-4 as elected by the Applicant in paper filed on 11/04/2002. Further, it should be noted that with the Request for Continued Examination (RCE) under 37 CFR § 1.114, Applicant(s) may not switch invention as a matter of right or add new matter (See MPEP § 706.07(h)).

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

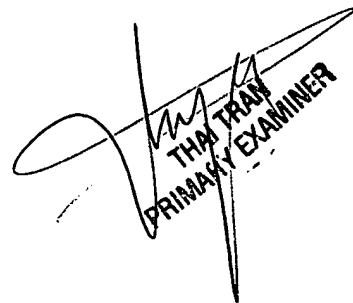
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN LN  
08/29/05

  
THAI TRAN  
PRIMARY EXAMINER